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C O N F I D E N T I A L SECTION 01 OF 02 TEL AVIV 001524

SIPDIS

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SUBJECT: CABINET DECIDES TO REMOVE 24 OUTPOSTS BUT DOESN'T  
ADOPT SASSON REPORT

REF: TEL AVIV 01430

Classified By: Deputy Chief of Mission Gene A. Cretz for reasons 1.4 (b)  
) and (d)

1. (C) Summary/Comment: Prime Minister Ariel Sharon's Cabinet on March 13 decided to remove the 24 post-March 2001 outposts mentioned in Talia Sasson's report, but not until after implementation of the disengagement plan. Israeli officials said that the GOI is "busy" with disengagement and that the IDF's attention should not be diverted from it. The Cabinet also set up a ministerial committee, headed by Minister of Justice Tzipi Livni, to make recommendations on the other 81 unauthorized outposts mentioned in the report, and to recommend an overhaul of procedures needed to establish new outposts. The Cabinet only approved the principle that the rule of law should be obeyed, but not the report itself, and Sharon dismissed calls to dismantle the Settlements Division of the World Zionist Organization. The media and politicians are characterizing the establishment of the committee, which has 90 days to report back to the Cabinet, as "foot-dragging" and a "diversionary maneuver." End Summary and Comment.

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Dismantle 24 Outposts... But When?  
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2. (C) Prime Minister Ariel Sharon's Cabinet on March 13 decided to remove the 24 post-March 2001 outposts mentioned in Talia Sasson's report. According to press reports, Sharon told his Cabinet that "Israel is obligated under the roadmap, which was approved by a cabinet decision and which in its first phase calls on Israel to dismantle the unauthorized outposts that were established since March 2001, and Israel will live up to its commitments." The Cabinet, however, did not set a timeline for the evacuations, despite the fact that the report said there were no legal hurdles to prevent dismantling six of the 24 outposts. Sasson's report also recommended that another 15 outposts built on private Palestinian land should be evacuated immediately. Defense Minister Shaul Mofaz told the Ambassador on March 14 that none of the outposts would be evacuated until after implementation of the disengagement plan, and at the Cabinet meeting he reportedly said that the IDF's attention should not be diverted from disengagement. In addition, Sharon reportedly told UN Secretary General Kofi Annan that Israel will evacuate the 24 outposts, "but not just now" because the GOI is "busy" implementing disengagement.

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And the Other 81?  
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3. (C) The Cabinet left the fate of the remaining 81 outposts mentioned in Sasson's report undecided (Note: 71 are pre-March 2001 outposts and Sasson could not determine when the other 10 were erected. End note). According to press, the Cabinet set up a special committee, which Justice Minister Tzipi Livni will head, "to recommend organizational changes and an overhaul of the procedures necessary to obtain permission to establish new outposts." The committee, however, will not have the authority to order the evacuation of any outposts. Other committee members include the Ministers of Construction and Housing, Defense, Infrastructure, Internal Security, Agriculture, Education, Health, and Interior. Mofaz told the Ambassador that they will report their recommendations to the Cabinet in 90 days.

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Cabinet Decision Falls Short in Other Respects  
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4. (U) In addition to postponing the evacuation of the post-March 2001 outposts, the Cabinet decided to adopt "only the principle that the rule of law should be obeyed," and not the report itself. Attorney General Menachem Mazuz allegedly said that the Cabinet could not adopt the report in its entirety until its conclusions are examined more closely. The Cabinet passed a resolution that said the report's findings and recommendations are "important," and that "the government accepts the basic principles of the report -- that there is a need to be careful and ensure that the allocation of land, the planning, the establishment and populating the settlements, existing and new ones in Judea and Samaria, is

done according to law and according to government decisions."

15. (U) According to press, Sharon also dismissed calls to dismantle the Settlements Division of the World Zionist Organization, reportedly saying that "the time had not yet come."

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Comment

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16. (C) Israeli pundits and Labor members are already commenting that the creation of the Cabinet's ministerial committee to determine how to implement Sasson's recommendations is merely "foot-dragging" and one of Sharon's "diversionary maneuvers." They claim that, in the end, nothing will happen and no outposts will be dismantled. Of more importance, however, is the committee's mandate to look into "an overhaul of the procedures necessary to obtain permission to establish new outposts." In effect, this could mean that not only will no outposts be dismantled, but in fact, that the committee could find a way to retroactively approve most of the outposts mentioned in the report, and 81 unauthorized outposts will turn into "authorized" facts on the ground. End comment.

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KURTZER